

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

BILL C

LLS NO. 19-0228.01 Yelana Love x2295

SENATE BILL

SENATE SPONSORSHIP

Priola,

HOUSE SPONSORSHIP

Kennedy and Wilson, Pettersen, Singer

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REDUCTION OF HARM CAUSED BY SUBSTANCE USE**
102 **DISORDERS, AND, IN CONNECTION THEREWITH, AUTHORIZING**
103 **SCHOOLS TO OBTAIN A SUPPLY OF OPIATE ANTAGONISTS,**
104 **SPECIFYING THAT A LICENSED OR CERTIFIED HOSPITAL MAY BE**
105 **USED AS A CLEAN SYRINGE EXCHANGE SITE, CREATING THE**
106 **NALOXONE BULK PURCHASE FUND, REQUIRING THE**
107 **DEPARTMENT OF HUMAN SERVICES TO EXPAND THE USE OF**
108 **MOBILE RESPONSE UNITS, EXPANDING THE HOUSEHOLD**
109 **MEDICATION TAKE-BACK PROGRAM IN THE DEPARTMENT OF**
110 **PUBLIC HEALTH AND ENVIRONMENT, AND REQUIRING A PERSON**
111 **THAT MAKES AN AUTOMATED EXTERNAL DEFIBRILATOR**
112 **AVAILABLE TO ALSO MAKE AN OPIATE ANTAGONIST AVAILABLE.**

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Opioid and Other Substance Use Disorders Study Committee.

The bill:

- Allows school districts and nonpublic schools to develop a policy by which schools are authorized to obtain a supply of opiate antagonists and school employees are trained to administer opiate antagonists to individuals at risk of experiencing a drug overdose (**sections 1 through 7**);
- Specifies that a licensed or certified hospital may be used as a clean syringe exchange site (**section 8**);
- Creates the naloxone bulk purchase fund (**section 9**);
- Requires the department of human services to make mobile response units available for the purpose of providing medication-assisted treatment in jails and department of corrections facilities and community-based naloxone training (**section 10**);
- Expands the household medication take-back program in the department of public health and environment for the purpose of the safe disposal of needles, syringes, and other devices used to inject medication (**section 11**); and
- Requires a person or entity that makes an automated external defibrillator available to the public to also make an opiate antagonist available to the public (**section 12**).

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-1-119.1 as
3 follows:

4 **22-1-119.1. Policy for employee and agent possession and**
5 **administration of opiate antagonists - definitions.** (1) A SCHOOL
6 DISTRICT BOARD OF EDUCATION OF A PUBLIC SCHOOL, THE STATE CHARTER
7 SCHOOL INSTITUTE FOR AN INSTITUTE CHARTER SCHOOL, OR THE
8 GOVERNING BOARD OF A NONPUBLIC SCHOOL MAY ADOPT AND IMPLEMENT

1 A POLICY WHEREBY:

2 (a) A SCHOOL UNDER ITS JURISDICTION MAY ACQUIRE AND
3 MAINTAIN A STOCK SUPPLY OF OPIATE ANTAGONISTS; AND

4 (b) AN EMPLOYEE OR AGENT OF THE SCHOOL MAY, AFTER
5 RECEIVING APPROPRIATE TRAINING, ADMINISTER AN OPIATE ANTAGONIST
6 ON SCHOOL GROUNDS TO ASSIST AN INDIVIDUAL WHO IS AT RISK OF
7 EXPERIENCING AN OPIATE-RELATED DRUG OVERDOSE EVENT. THE
8 TRAINING PROVIDED PURSUANT TO THIS SUBSECTION (1)(b) MUST INCLUDE
9 THE RISK FACTORS FOR OVERDOSE, RECOGNIZING AN OVERDOSE, CALLING
10 EMERGENCY MEDICAL SERVICES, RESCUE BREATHING, AND ADMINISTERING
11 AN OPIATE ANTAGONIST.

12 (2) AN EMPLOYEE OR AGENT OF A SCHOOL ACTING IN ACCORDANCE
13 WITH A POLICY ADOPTED PURSUANT TO THIS SECTION IS NOT SUBJECT TO
14 CIVIL LIABILITY OR CRIMINAL PROSECUTION, AS SPECIFIED IN SECTIONS
15 13-21-108.7 (3) AND 18-1-712 (2), RESPECTIVELY.

16 (3) AS USED IN THIS SECTION:

17 (a) "OPIATE ANTAGONIST" MEANS NALOXONE HYDROCHLORIDE OR
18 ANY SIMILARLY ACTING DRUG THAT IS NOT A CONTROLLED SUBSTANCE
19 AND THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG
20 ADMINISTRATION FOR THE TREATMENT OF A DRUG OVERDOSE.

21 (b) "OPIATE-RELATED DRUG OVERDOSE EVENT" MEANS AN ACUTE
22 CONDITION, INCLUDING A DECREASED LEVEL OF CONSCIOUSNESS OR
23 RESPIRATORY DEPRESSION, THAT:

24 (I) RESULTS FROM THE CONSUMPTION OR USE OF A CONTROLLED
25 SUBSTANCE OR ANOTHER SUBSTANCE WITH WHICH A CONTROLLED
26 SUBSTANCE WAS COMBINED;

27 (II) A LAY PERSON WOULD REASONABLY BELIEVE TO BE CAUSED BY

1 AN OPIATE-RELATED DRUG OVERDOSE EVENT; AND

2 (III) REQUIRES MEDICAL ASSISTANCE.

3 **SECTION 2.** In Colorado Revised Statutes, 12-36-117.7, **amend**
4 (1) introductory portion, (1)(c), (1)(d), and (3)(c); and **add** (1)(e) and
5 (6)(f.5) as follows:

6 **12-36-117.7. Prescribing opiate antagonists - definitions.** (1) A
7 physician or physician assistant licensed pursuant to this article **36** may
8 prescribe or dispense, directly or in accordance with standing orders and
9 protocols, an opiate antagonist to:

10 (c) An employee or volunteer of a harm reduction organization;

11 ~~or~~

12 (d) A LAW ENFORCEMENT AGENCY OR first responder; OR

13 (e) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A
14 SCHOOL.

15 (3) A licensed physician or physician assistant does not engage in
16 unprofessional conduct pursuant to section 12-36-117 if the physician or
17 physician assistant issues standing orders and protocols regarding opiate
18 antagonists or prescribes or dispenses an opiate antagonist in a good-faith
19 effort to assist:

20 (c) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an
21 employee or volunteer of a harm reduction organization; OR A SCHOOL
22 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL in responding
23 to, treating, or otherwise assisting an individual who is experiencing or
24 is at risk of experiencing an opiate-related drug overdose event or a
25 friend, family member, or other person in a position to assist an at-risk
26 individual.

27 (6) As used in this section:

1 (f.5) "SCHOOL" MEANS AN ELEMENTARY OR SECONDARY PUBLIC
2 OR NONPUBLIC SCHOOL WHOSE GOVERNING AUTHORITY HAS ADOPTED AND
3 IMPLEMENTED A POLICY PURSUANT TO SECTION 22-1-119.1.

4 **SECTION 3.** In Colorado Revised Statutes, 12-38-125.5, **amend**
5 (1)(c), (1)(d), and (3)(c); and **add** (1)(e) and (6)(f.5) as follows:

6 **12-38-125.5. Prescribing opiate antagonists - definitions.**

7 (1) An advanced practice nurse with prescriptive authority pursuant to
8 section 12-38-111.6 may prescribe or dispense, directly or in accordance
9 with standing orders and protocols, an opiate antagonist to:

10 (c) An employee or volunteer of a harm reduction organization;

11 ~~or~~

12 (d) A LAW ENFORCEMENT AGENCY OR first responder; OR

13 (e) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A
14 SCHOOL.

15 (3) An advanced practice nurse with prescriptive authority does
16 not engage in conduct that is grounds for discipline pursuant to section
17 12-38-117 if the advanced practice nurse issues standing orders and
18 protocols regarding opiate antagonists or prescribes or dispenses an opiate
19 antagonist in a good-faith effort to assist:

20 (c) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an
21 employee or volunteer of a harm reduction organization; OR A SCHOOL
22 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL in responding
23 to, treating, or otherwise assisting an individual who is experiencing or
24 is at risk of experiencing an opiate-related drug overdose event or a
25 friend, family member, or other person in a position to assist an at-risk
26 individual.

27 (6) As used in this section:

1 (f.5) "SCHOOL" MEANS AN ELEMENTARY OR SECONDARY PUBLIC
2 OR NONPUBLIC SCHOOL WHOSE GOVERNING AUTHORITY HAS ADOPTED AND
3 IMPLEMENTED A POLICY PURSUANT TO SECTION 22-1-119.1.

4 **SECTION 4.** In Colorado Revised Statutes, 12-42.5-105, **amend**
5 (2) as follows:

6 **12-42.5-105. Rules.** (2) On or before January 1, ~~2016~~ **2020**, the
7 board shall adopt or amend rules as necessary to permit the dispensing of
8 an opiate antagonist in accordance with section 12-42.5-120 (3).

9 **SECTION 5.** In Colorado Revised Statutes, 12-42.5-120, **amend**
10 (3)(a)(III), (3)(a)(IV), (3)(c)(I)(C), (3)(d)(I) introductory portion, and
11 (3)(d)(III); and **add** (3)(a)(V) and (3)(e)(VI.5) as follows:

12 **12-42.5-120. Prescription required - exception - dispensing**
13 **opiate antagonists - definitions.** (3) (a) A pharmacist may dispense,
14 pursuant to an order or standing orders and protocols, an opiate antagonist
15 to:

16 (III) An employee or volunteer of a harm reduction organization;

17 ~~or~~

18 (IV) A LAW ENFORCEMENT AGENCY OR first responder; OR

19 (V) A SCHOOL DISTRICT, SCHOOL, OR EMPLOYEE OR AGENCY OF A
20 SCHOOL.

21 (c) (I) A pharmacist does not engage in unprofessional conduct
22 pursuant to section 12-42.5-123 if the pharmacist dispenses, pursuant to
23 an order or standing orders and protocols, an opiate antagonist in a
24 good-faith effort to assist:

25 (C) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an
26 employee or volunteer of a harm reduction organization; OR A SCHOOL
27 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL in responding

1 to, treating, or otherwise assisting an individual who is experiencing or
2 is at risk of experiencing an opiate-related drug overdose event or a
3 friend, family member, or other person in a position to assist an at-risk
4 individual.

5 (d) (I) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an
6 employee or volunteer of a harm reduction organization; OR A SCHOOL
7 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL may, pursuant
8 to an order or standing orders and protocols:

9 (III) A LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an
10 employee or volunteer of a harm reduction organization; OR A SCHOOL
11 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL acting in
12 accordance with this ~~paragraph (d)~~ SUBSECTION (3)(d) is not subject to
13 civil liability or criminal prosecution, as specified in sections 13-21-108.7
14 (3) and 18-1-712 (2), ~~C.R.S.~~, respectively.

15 (e) As used in this section:

16 (VI.5) "SCHOOL" MEANS AN ELEMENTARY OR SECONDARY PUBLIC
17 OR NONPUBLIC SCHOOL WHOSE GOVERNING AUTHORITY HAS ADOPTED AND
18 IMPLEMENTED A POLICY PURSUANT TO SECTION 22-1-119.1.

19 **SECTION 6.** In Colorado Revised Statutes, 13-21-108.7, **amend**
20 (2)(b)(I)(A), (3), and (4)(a) introductory portion; and **repeal** (2)(b)(II) as
21 follows:

22 **13-21-108.7. Persons rendering emergency assistance through**
23 **the administration of an opiate antagonist - limited immunity -**
24 **legislative declaration - definitions. (2) Definitions.** As used in this
25 section, unless the context otherwise requires:

26 (b) (I) "Health care provider" means:

27 (A) A licensed physician, advanced practice nurse who has

1 prescriptive authority pursuant to section 12-38-111.6, ~~€R.S.~~, physician
2 assistant, ~~or~~ pharmacist, PODIATRIST, OPTOMETRIST, DENTIST, OR
3 VETERINARIAN.

4 (II) ~~"Health care provider" does not include a podiatrist,~~
5 ~~optometrist, dentist, or veterinarian.~~

6 (3) **General immunity.** A person, other than a health care
7 provider or a health care facility, who acts in good faith to furnish or
8 administer an opiate antagonist to an individual the person believes to be
9 suffering an opiate-related drug overdose event or to an individual who
10 is in a position to assist the individual at risk of experiencing an
11 opiate-related overdose event is not liable for any civil damages for acts
12 or omissions made as a result of the act OR FOR ANY ACT OR OMISSION
13 MADE IF THE OPIATE ANTAGONIST IS STOLEN. This subsection (3) also
14 applies to a LAW ENFORCEMENT AGENCY OR first responder; ~~or~~ an
15 employee or volunteer of a harm reduction organization; OR A SCHOOL
16 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL acting in
17 accordance with section 12-42.5-120 (3)(d). ~~€R.S.~~

18 (4) **Licensed prescribers and dispensers.** (a) An individual who
19 is licensed by the state under title 12 ~~€R.S.~~, and is permitted by section
20 ***12-32-107.5, 12-35-114,*** 12-36-117.7, 12-38-125.5, ~~or 12-40-109.5,~~
21 12-42.5-120 (3), ~~€R.S.~~, OR ***12-64-127*** or by other applicable law to
22 prescribe or dispense an opiate antagonist is not liable for any civil
23 damages resulting from:

24 **SECTION 7.** In Colorado Revised Statutes, 18-1-712, **amend** (2),
25 (3)(a) introductory portion, and (5)(b)(I)(A); and **repeal** (5)(b)(II) as
26 follows:

27 **18-1-712. Immunity for a person who administers an opiate**

1 **antagonist during an opiate-related drug overdose event - definitions.**

2 **(2) General immunity.** A person, other than a health care provider or a
3 health care facility, who acts in good faith to furnish or administer an
4 opiate antagonist to an individual the person believes to be suffering an
5 opiate-related drug overdose event or to an individual who is in a position
6 to assist the individual at risk of experiencing an opiate-related overdose
7 event is immune from criminal prosecution for the act OR FOR ANY ACT OR
8 OMISSION MADE IF THE OPIATE ANTAGONIST IS STOLEN. This subsection
9 **(2)** also applies to a LAW ENFORCEMENT AGENCY OR first responder; ~~or an~~
10 employee or volunteer of a harm reduction organization; OR A SCHOOL
11 DISTRICT, SCHOOL, OR EMPLOYEE OR AGENT OF A SCHOOL acting in
12 accordance with section 12-42.5-120 (3)(d). ~~€R.S.~~

13 **(3) (a) Licensed prescribers and dispensers.** An individual who
14 is licensed by the state under title 12 ~~€R.S.~~, and is permitted by section
15 **12-32-107.5, 12-35-114**, 12-36-117.7, 12-38-125.5, ~~or 12-40-109.5~~,
16 12-42.5-120 (3), ~~€R.S.~~, OR **12-64-127** or by other applicable law to
17 prescribe or dispense an opiate antagonist is immune from criminal
18 prosecution for:

19 **(5) Definitions.** As used in this section, unless the context
20 otherwise requires:

21 (b) (I) "Health care provider" means:

22 (A) A licensed or certified physician, nurse practitioner, physician
23 assistant, ~~or~~ pharmacist, PODIATRIST, OPTOMETRIST, DENTIST, OR
24 VETERINARIAN; or

25 (II) ~~"Health care provider" does not include a podiatrist,~~
26 ~~optometrist, dentist, or veterinarian.~~

27 **SECTION 8.** In Colorado Revised Statutes, 25-1-520, **add** (2.5)

1 as follows:

2 **25-1-520. Clean syringe exchange programs - approval -**
3 **reporting requirements.** (2.5) A PROGRAM DEVELOPED PURSUANT TO
4 THIS SECTION MAY BE OPERATED IN A HOSPITAL LICENSED OR CERTIFIED
5 BY THE STATE DEPARTMENT PURSUANT TO SECTION 25-1.5-103 (1)(a).

6 **SECTION 9.** In Colorado Revised Statutes, **add** 25-1.5-114 as
7 follows:

8 **25-1.5-114. Naloxone bulk purchase fund - definition - rules.**

9 (1) THE NALOXONE BULK PURCHASE FUND, REFERRED TO IN THIS SECTION
10 AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND
11 CONSISTS OF PAYMENTS MADE BY PARTICIPATING ELIGIBLE ENTITIES FOR
12 THE PURCHASE OF NALOXONE; GIFTS, GRANTS, AND DONATIONS; AND ANY
13 OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR
14 TRANSFER TO THE FUND.

15 (2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
16 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
17 FUND TO THE FUND.

18 (3) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
19 DEPARTMENT FOR BULK PURCHASING OF NALOXONE. ELIGIBLE ENTITIES
20 MAY PURCHASE NALOXONE FROM THE DEPARTMENT. THE DEPARTMENT
21 MAY CONTRACT WITH A PRESCRIPTION DRUG OUTLET, AS DEFINED IN
22 SECTION 12-42.5-102 (35), FOR THE BULK PURCHASING AND DISTRIBUTION
23 OF NALOXONE. THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE
24 TO PARTICIPATING ELIGIBLE ENTITIES TO ENSURE THAT ELIGIBLE ENTITIES
25 COMPLETE ALL TRAINING AND REGISTRATION REQUIREMENTS.

26 (4) THE DEPARTMENT SHALL PROMULGATE RULES SPECIFYING THE
27 AMOUNT AN ELIGIBLE ENTITY MUST PAY TO PURCHASE NALOXONE FROM

1 THE DEPARTMENT.

2 (5) (a) NO LATER THAN OCTOBER 1, 2020, AND EVERY OCTOBER
3 1 THEREAFTER, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE
4 EXECUTIVE DIRECTOR'S DESIGNEE SHALL REPORT TO THE HOUSE AND
5 SENATE APPROPRIATIONS COMMITTEES, OR THEIR SUCCESSOR
6 COMMITTEES, ON THE FUND'S ACTIVITY. THE REPORT MUST INCLUDE:

7 (I) REVENUE RECEIVED BY THE FUND;

8 (II) REVENUE AND EXPENDITURE PROJECTIONS FOR THE
9 FORTHCOMING FISCAL YEAR AND DETAILS OF ALL EXPENDITURES FROM
10 THE FUND;

11 (III) THE ELIGIBLE ENTITIES THAT PURCHASED NALOXONE;

12 (IV) THE AMOUNT OF NALOXONE PURCHASED BY EACH ELIGIBLE
13 ENTITY; AND

14 (V) THE DISCOUNT PROCURED THROUGH BULK PURCHASING.

15 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT
16 REQUIRED IN THIS SUBSECTION (5) CONTINUES INDEFINITELY.

17 (6) AS USED IN THIS SECTION, "ELIGIBLE ENTITY" MEANS:

18 (a) A UNIT OF LOCAL GOVERNMENT, AS DEFINED IN SECTION
19 29-3.5-101 (4);

20 (b) A PERSON REQUIRED TO MAKE AN OPIATE ANTAGONIST
21 AVAILABLE PURSUANT TO SECTION 25-20.5-901; AND

22 (c) EACH OF THE FOLLOWING ENTITIES, IF THE ENTITY HAS
23 ADOPTED A POLICY ALLOWING THE ACQUISITION, MAINTENANCE, AND
24 ADMINISTRATION OF OPIATE ANTAGONISTS PURSUANT TO SECTION
25 22-1-119.1:

26 (I) A SCHOOL DISTRICT BOARD OF EDUCATION OF A PUBLIC
27 SCHOOL;

1 (II) A STATE CHARTER SCHOOL INSTITUTE FOR AN INSTITUTE
2 CHARTER SCHOOL;

3 (III) A GOVERNING BOARD OF A NONPUBLIC SCHOOL.

4 **SECTION 10.** In Colorado Revised Statutes, 27-60-104, **amend**
5 (2) as follows:

6 **27-60-104. Behavioral health crisis response system - crisis**
7 **service facilities - walk-in centers - mobile response units.** (2) (a) On
8 or before January 1, 2018, the state department shall ensure that mobile
9 response units are available to respond to a behavioral health crisis
10 anywhere in the state within no more than two hours, either face-to-face
11 or using telehealth operations, for mobile crisis evaluations.

12 (b) ON OR BEFORE JANUARY 1, 2020, THE STATE DEPARTMENT
13 SHALL ENSURE THAT MOBILE RESPONSE UNITS ARE AVAILABLE TO PROVIDE
14 MEDICATION-ASSISTED TREATMENT IN JAILS AND DEPARTMENT OF
15 CORRECTIONS FACILITIES AND COMMUNITY-BASED NALOXONE TRAINING
16 FOR AT-RISK POPULATIONS.

17 **SECTION 11.** In Colorado Revised Statutes, 25-15-328, **amend**
18 (3) and (5) as follows:

19 **25-15-328. Household medication take-back program -**
20 **collection and disposal of medication injection devices - creation -**
21 **liability - definitions - cash fund - rules.** (3) (a) Subject to available
22 funds, the executive director of the department shall establish a household
23 medication take-back program to collect and dispose of unused household
24 medications. The program must allow for individuals to dispose of
25 unused household medications at approved collection sites and for
26 carriers to transport unused household medications from approved
27 collection sites to disposal locations.

1 (b) STARTING IN THE 2020-21 FISCAL YEAR, THE EXECUTIVE
2 DIRECTOR OF THE DEPARTMENT SHALL USE THE MONEY APPROPRIATED TO
3 THE DEPARTMENT PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION TO
4 IMPLEMENT A PROCESS FOR THE SAFE DISPOSAL OF NEEDLES, SYRINGES,
5 AND OTHER DEVICES USED TO INJECT MEDICATION. THE EXECUTIVE
6 DIRECTOR OF THE DEPARTMENT SHALL DETERMINE THE PROCESSES AND
7 LOCATIONS FOR THE SAFE COLLECTION AND DISPOSAL OF THE MEDICATION
8 INJECTION DEVICES.

9 (5) (a) The household medication take-back cash fund is created
10 in the state treasury for the direct and indirect costs associated with the
11 implementation of this section. The fund consists of ~~moneys~~ MONEY
12 appropriated or transferred to the fund by the general assembly and any
13 gifts, grants, and donations from any public or private entity. The
14 department shall transmit gifts, grants, and donations collected by the
15 department to the state treasurer, who shall credit the ~~moneys~~ MONEY to
16 the fund. The ~~moneys~~ MONEY in the fund ~~are~~ IS subject to annual
17 appropriation by the general assembly.

18 (b) FOR THE 2020-21 FISCAL YEAR AND EACH YEAR THEREAFTER,
19 THE GENERAL ASSEMBLY SHALL MAKE AN APPROPRIATION FROM THE
20 GENERAL FUND TO THE DEPARTMENT FOR THE PURPOSE OF EXPANDING THE
21 HOUSEHOLD MEDICATION TAKE-BACK PROGRAM TO INCLUDE THE SAFE
22 COLLECTION AND DISPOSAL OF MEDICATION INJECTION DEVICES PURSUANT
23 TO SUBSECTION (3)(b) OF THIS SECTION.

24 **SECTION 12.** In Colorado Revised Statutes, **add** part 9 to article
25 20.5 of title 25 as follows:

26 **PART 9**
27 **REQUIREMENT TO MAKE OPIATE**

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

2

3
4
5
6
7
8
9
10

11
12
13
14

15
16
17
18
19
20
21

22
23

24

25
26
27

1 COMMUNITY-BASED SERVICES, HOSPICE OR HOME HEALTH CARE AGENCY,
2 OR ANOTHER FACILITY THAT PROVIDES OR CONTRACTS TO PROVIDE
3 HEALTH CARE SERVICES, WHICH FACILITY IS LICENSED, CERTIFIED, OR
4 OTHERWISE AUTHORIZED OR PERMITTED BY LAW TO PROVIDE MEDICAL
5 TREATMENT.

6 (b) "HEALTH CARE PROVIDER" MEANS:

7 (I) A LICENSED PHYSICIAN, ADVANCED PRACTICE NURSE WITH
8 PRESCRIPTIVE AUTHORITY PURSUANT TO SECTION 12-38-111.6, PHYSICIAN
9 ASSISTANT, PHARMACIST, PODIATRIST, OPTOMETRIST, DENTIST, OR
10 VETERINARIAN; OR

11 (II) A HEALTH MAINTENANCE ORGANIZATION LICENSED AND
12 CONDUCTING BUSINESS IN THIS STATE.

13 **SECTION 13. Applicability.** This act applies to conduct
14 occurring on or after the effective date of this act.

15 **SECTION 14. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.